

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-20636 - APPLICANT/OWNER: PAMOJA, LLC

**** CONDITIONS ****

The Planning Commission (3-2/ld, ds vote) recommends DENIAL. Staff recommends APPROVAL subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-20634) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on 0.12 acres at 141 North Bruce Street.

The proposed commercial use for the site is appropriate for this area as C-1 (Limited Commercial) Zoning and MXU (Mixed Use) General Plan Designations are adjacent to the north and south, which are compatible and comparable land uses and zoning districts.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/06/86	The City Council adopted by Ordinance #3218 the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area at 141 North Bruce Street.
05/24/07	The Planning Commission recommended denial of companion items VAR-20635, VAR-21635 and SDR-20634 concurrently with this application. The Planning Commission voted 3-2/ld, ds to recommend DENIAL (PC Agenda Item #46/jm).
<i>Pre-Application Meeting</i>	
02/12/07	A pre-application meeting was held with the applicant. The applicant was informed that their proposal would require a Rezoning to C-1 (Limited Commercial) and their lack of parking demonstrated in their site plan would require a Variance of Title 19.10 Parking Standards. In addition, the front yard is completely paved requiring the applicant to ask for a waiver of Title 19.12 Landscape Standards.
04/23/07	A meeting was held on 04/23/07 with traffic. The applicant was asked to reconfigure their parking plan so that parking did not back onto Bruce Street. The applicant was also informed that a utility (sewer) easement is located in the rear yard that prohibits the planting of trees. In addition, the utility company requires access to the rear which deletes landscaping on the south side of the property.

Field Check	Description
04/3/07	The front yard is paved as well as the backyard. There is a distinct slope from the front yard to the street on Bruce.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/06/86	The City Council adopted by Ordinance #3218 the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area at 141 North Bruce Street.

<i>Pre-Application Meeting</i>	
02/12/07	A pre-application meeting was held with the applicant. The applicant was informed that their proposal would require a Rezoning to C-1 (Limited Commercial) and their lack of parking demonstrated in their site plan would require a Variance of Title 19.10 Parking Standards. In addition, the front yard is completely paved requiring the applicant to ask for a waiver of Title 19.12 Landscape Standards.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.12

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)
North	Office	MXU (Mixed-Use)	C-1 (Limited Commercial)
South	Office	MXU (Mixed-Use)	C-1 (Limited Commercial)
East	Elementary School	PF (Public Facilities)	C-V (Civic)
West	Single Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The applicant is requesting a Rezoning from R-1 (Single Family Residential) to a C-1 (Limited Commercial) District. The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the MXU (Mixed Use) Land Use Designation of the General Plan.

The applicant is proposing to convert the existing 1,582 square-foot single family residential building into a 1,465 square foot commercial building. The parking is in the front of the site with two of the spaces parked east to west, parallel with the building. There is a van accessible space that backs onto Bruce Street. This is a public safety concern for staff as the design of the parking area does not meet Title 19.10J Parking standards for access.

The project as designed, the project requires several deviations from standards, including landscape waivers for the perimeter buffer width and landscape fingers in the parking lot area. Additionally, two Variances (VAR-20635 & VAR-21635) have been requested for lot width requirements and parking respectively.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The proposed C-1 (Limited Commercial) zone request would be in conformance with the MXU (Mixed-Use) General Plan designation.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The proposed commercial use for the site is appropriate for this area as C-1 (Limited Commercial) Zoning and MXU (Mixed Use) General Plan Designations are adjacent to the north and south, which are compatible and comparable land uses and zoning districts.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The proposed use as a commercial establishment is compatible with surrounding development and appropriate for a rezoning.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

The site gains access from an alley way to the west of the parcel with access to Clark Avenue to the north and Bonneville Avenue to the south. These streets provide adequate access to the property.

PLANNING COMMISSION ACTION

There was one speaker in opposition.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 14

SENATE DISTRICT 2

NOTICES MAILED 352 by Planning Department

APPROVALS 0

PROTESTS 0